

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA, :
: :
Plaintiff, :
: :
v. : Criminal Action No. 08-76-SLR
: :
GUILLERMO A. MARTINEZ, :
: :
Defendant. :
:

**DEFENDANT'S UNOPPOSED MOTION TO
EXTEND TIME TO FILE PRE-TRIAL MOTIONS**

Defendant, Guillermo A. Martinez, by and through his attorney, Edson A. Bostic, hereby moves the Court, pursuant to Federal Rule of Criminal Procedure 45(b) and Local Rule 5(a), for an Order enlarging the time within which pre-trial motions may be filed.

In support of this motion, the Defendant submits as follows:

1. Pre-trial motions for this case are due by June 11, 2008.
2. Defense Counsel requires additional time to speak with Mr. Martinez to discuss and review the discovery in this case before determining what pretrial motions are appropriate. Also, defense counsel is currently in discussions with the government regarding a potential non-trial disposition and requires additional time to complete these negotiations, which if successful, would make the filing and litigation of pretrial motions unnecessary.
3. Defense counsel, therefore, respectfully requests an additional three weeks in which to file pre-trial motions, to allow counsel sufficient time to review and to discuss the discovery with

Mr. Martinez.

4. Government counsel, Assistant United States Attorney Christopher Burke, does not oppose the defense's request for an enlargement of time in which to file any pre-trial motions, making this motion unopposed.

5. The defense agrees to waive, pursuant to the Speedy Trial Act, any additional time given in which to file pre-trial motions.

WHEREFORE, it is respectfully requested that the time for Defendant to file pre-trial motions be extended to anytime after July 2, 2008.

Respectfully Submitted,

/s/ Edson A. Bostic
EDSON A. BOSTIC
Federal Public Defender

Federal Public Defender's Office
One Customs House
704 King Street, Suite 110
Wilmington, Delaware 19801
(302) 573-6010
ecf_de@msn.com

Dated: June 11, 2008

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA, :
: Plaintiff, :
: :
v. : :
: : Criminal Action No. 08-76-SLR
: :
GUILLERMO A. MARTINEZ, :
: :
: :
Defendant.

ORDER

Having considered Defendant Martinez' Motion to Extend Time to File Pre-trial Motions,
IT IS HEREBY ORDERED this _____ day of _____, 2008, that Defendant
Martinez' pre-trial motions shall be due on the _____ day of _____, 2008,
and that the time from June 11, 2008 up to the new due date for pre-trial motions to be filed shall be
excluded under the Speedy Trial Act (18 U.S.C. § 3161, et seq.).

The Honorable Sue L. Robinson
United States District Court